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OFFICE OF PETITIONS

In re Application of :
Chang :
Application No. 10/686,866 : **ON PETITION**
Filed: October 16, 2003 :
Attorney Docket No. 24061/TSMC2002-1305 :

This decision concerns the June 3, 2004 "Petition and Response to Notice to File Corrected Application Papers - Filing Date Granted." The petition asserts filing with the original application of an allegedly omitted page of specification and is being properly treated as a petition under 37 CFR 1.53(e)(2).

The petition is **GRANTED**.

The application was filed on October 16, 2003. A "Notice to File Corrected Application Papers," mailed on April 29, 2004 ("4/29/04 Notice"), stated that a filing date had been accorded this application, but an abstract and Page 14 of the specification appeared to have been omitted from the filed application. The petition then followed.

The petition contends that the allegedly omitted items were filed with the other application papers on October 16, 2003. In support, the petition is accompanied by a copy of counsel's postcard receipt, indicating receipt in the USPTO for this application on October 16, 2003 of, *inter alia*, "18 pages of specification, 25 claims and 1 page of Abstract of Disclosure."

The Office file for this application contains 14 pages of specification (Pages 1-13, 15; with Pages 12, 13 and 15 containing Claims 1-10, 16-19), but not Pages 14, 16, 17 or 18. The petition encloses copies of an abstract (Page 18) and a Page 14 (containing Claims 11-15), and is supplemented on August 3, 2004 with copies of Pages 16 and 17 (containing Claims 20-25), all purportedly filed previously on October 16, 2003.

Based on the information contained in counsel's postcard receipt, the Office concludes that 18 pages of specification (including 6 pages containing 25 claims, and a page of abstract) had been filed on October 16, 2003, but Pages 14, 16, 17 and 18 were later misplaced. The petition is thus granted.

The 4/29/04 Notice is hereby vacated.

No petition fee is owed. The \$130 petition fee has been credited to Deposit Account No. 08-1394 as authorized in the instant petition.

The application is being returned to the Office of Initial Patent Examination for further processing with a filing date of October 16, 2003, using the papers filed on that date and supplemented with the re-submitted pages of specification (Pages 14 and 18 on June 3, 2004; Pages 16 and 17 on August 3, 2004). Thereafter, the file will be forwarded to Technology Center 2800 for examination in due course.

Telephone inquiries should be directed to Petitions Attorney RC Tang at (703) 308-0763.

A handwritten signature in black ink, appearing to read 'C. Brantley', is positioned above the printed name.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions